

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RBW STUDIO LLC, a New York Limited Liability Company,)	
)	
Plaintiff,)	
)	
v.)	C.A. No.
)	
BOHA STUDIOS LLC, a Delaware Limited Liability Company,)	JURY TRIAL DEMANDED
)	
Defendant.)	

COMPLAINT

RBW Studio LLC (“RBW”), for its Complaint against Defendant BOHA Studios LLC (“BOHA”), alleges and states upon information and belief as follows:

NATURE OF THE ACTION

1. This is an action for copyright infringement under the Copyright Act of 1976, 17 U.S.C. §§ 101, *et seq.* The claims arise out of BOHA’s actions with respect to certain designs and photographs owned, sold and copyrighted by RBW, which RBW markets under its trademarks CRISP and DIMPLE, as more fully described herein.

JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction under 15 U.S.C. § 1121, and under 28 U.S.C. §§ 1331 and 1338.

3. This Court has personal jurisdiction over BOHA because it is organized in and maintains its principal place of business in Delaware.

4. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b)(1) and (b)(2) and 28 U.S.C. § 1400(a). BOHA resides in this District, and because a substantial part of the acts or omissions giving rise to RBW’s claims occurred in this District.

THE PARTIES

5. RBW is a Delaware and New York limited liability corporation with a principal place of business at 575 Boices Ln, Kingston, New York 12401.

6. BOHA is an internet reseller with a principal place of business at 1007 N. Orange St., Fl 4, Wilmington, Delaware 19802-1242. BOHA's registered agent for service of process is Local Agent Services, LLC at 256 Chapman Road, Suite 105-4, Newark, Delaware 19702

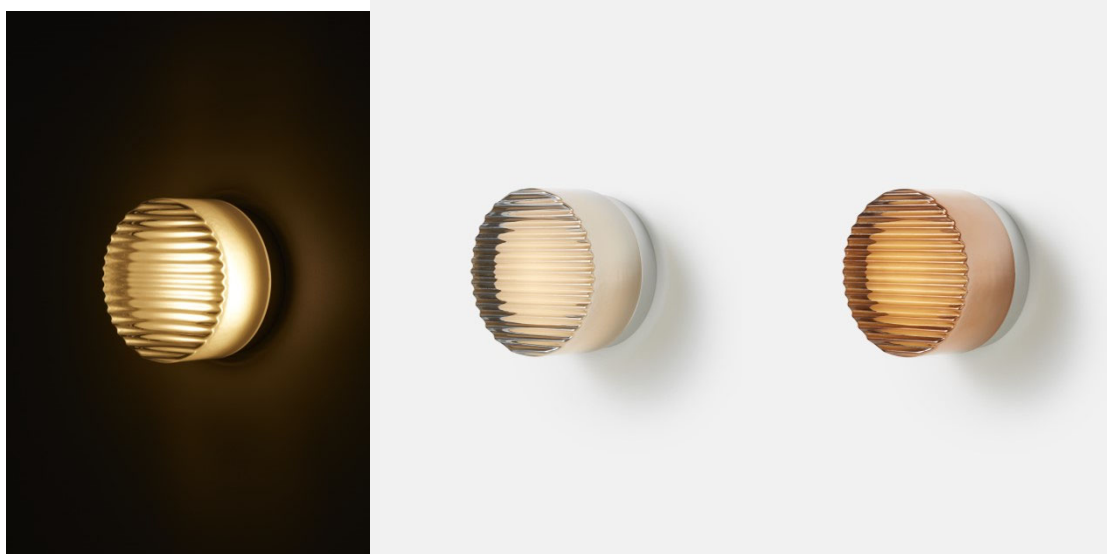
RBW'S BACKGROUND AND INTELLECTUAL PROPERTY

7. RBW creates, manufactures, markets and sells a range of unique light fixtures whose designs and images are protected by United States patents and copyrights. Among RBW's many light fixtures are two extremely popular fixtures it markets under the trademarks CRISP and DIMPLE.

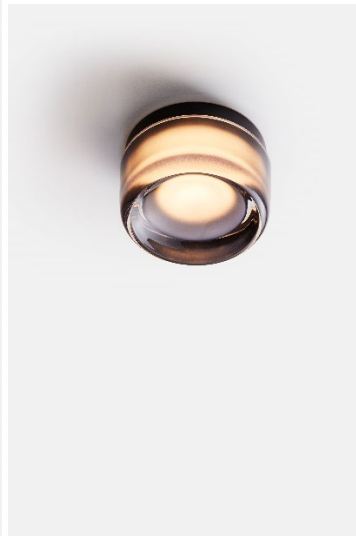
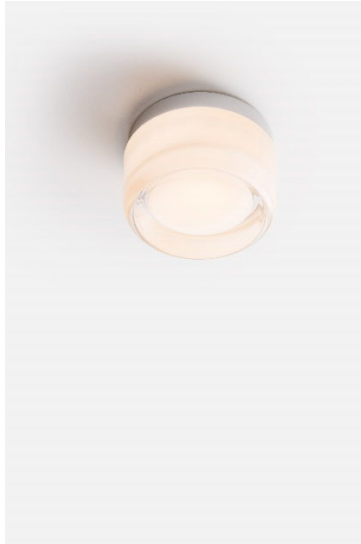
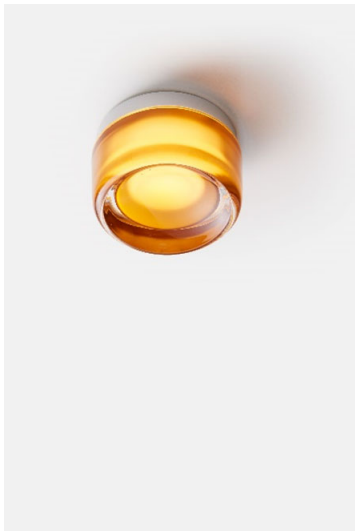
8. RBW's CRISP light fixture is shown at <https://rbw.com/collections/crisp>.

9. On November 22, 2022, the United States Copyright Office granted to RBW U.S. Copyright Registration No. VA-2-328-613 (the '613 Registration). A copy of the '613 Copyright Registration Certificate is attached as **Exhibit A**.

10. The '613 Registration protects multiple images of its CRISP design, including the following images:



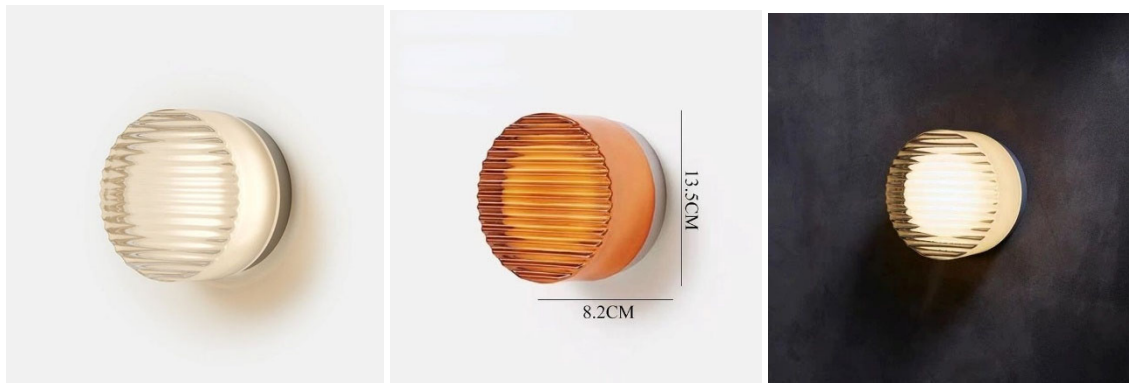
11. RBW's DIMPLE light fixture is shown at <https://rbw.com/collections/dimple>.
12. On November 1, 2022 the United States Copyright Office granted to RBW U.S. Copyright Registration No. VA-2-236-713 (the '713 Registration). A copy of the '713 Copyright Registration Certificate is attached as **Exhibit B**.
13. The '713 Registration protects multiple images of its DIMPLE design, including the following images:



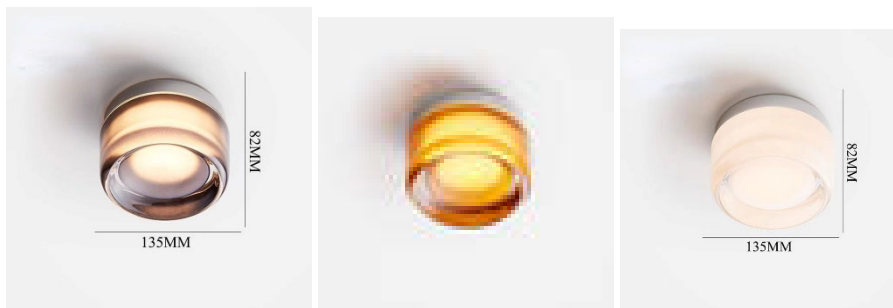
BOHA's UNLAWFUL ACTIVITIES

14. BOHA has advertised and continues to advertise its “Ahni – Flushmount Led Ceiling Light Wall Light Décor Led Wall Lighting” at its URL: <https://BOHA.com/products/ahni-modern-led-lights-for-wall-light-decor-led-wall-lighting>

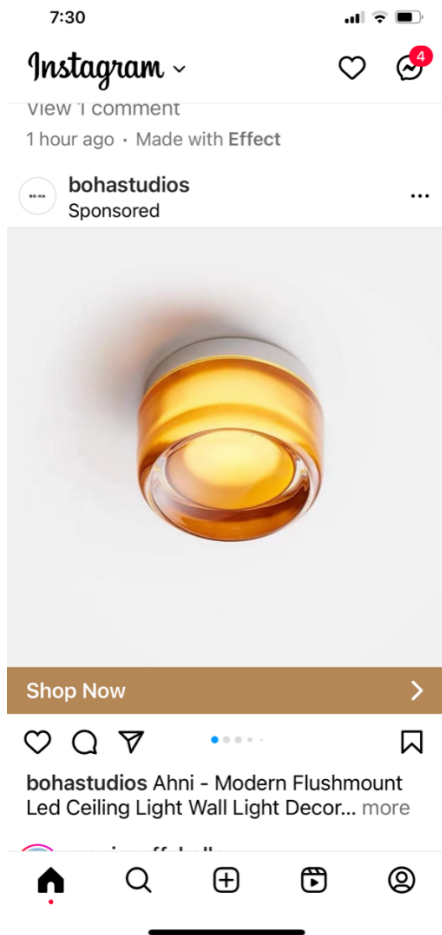
15. The images used by BOHA on its noted URL are unauthorized copies of RBW's copyrighted images. For example, BOHA is using the following copied images of RBW's copyrighted images of its CRISP light fixture:



16. The images used by BOHA on its noted URL are unauthorized copies of RBW's copyrighted images. For example, BOHA is also using the following images that are copies of RBW's copyrighted images of its DIMPLE light fixture:



17. In addition, BOHA has advertised and continues to advertise its Ahni products on social media. BOHA's postings use RBW's copyrighted images, such as the following example on Instagram:



18. On September 27, 2023, RBW sent BOHA a cease and desist letter requesting that the infringing images be taken down.

19. BOHA responded to RBW's cease and desist letter by representing, on numerous occasions, that the subject URL posing has been taken down. Notwithstanding the representations, each URL containing the infringing images remains an active URL.

COUNT I

(COPYRIGHT INFRINGEMENT UNDER 17 U.S.C. § 501)

20. RBW repeats, realleges, and incorporates by reference each and every allegation in the preceding paragraphs as though fully set forth herein.

21. BOHA have advertised, sold and distributed unauthorized copies of RBW's CRISP and DIMPLE designs using images of RBW's copyrighted CRISP and DIMPLE designs for financial gain.

22. Given BOHA's obvious knowledge of and/or willful blindness concerning advertising of its Ahni light fixtures based on RBW's copyrighted images, BOHA's acts constitute willful infringement of RBW's registered copyrights in brazen violation of 17 U.S.C. §§ 106 and 501(a).

23. By reason of BOHA's acts, RBW has sustained substantial and irreparable injury, loss and damage, for which no adequate remedy at law lies.

24. RBW is entitled to injunctive relief and to recover BOHA's profits and actual damages, or statutory damages if RBW so elects before entry of judgment, as well as costs and reasonable attorneys' fees.

PRAYER FOR RELIEF

WHEREFORE, RBW prays for this Court's judgment that:

- A. BOHA has infringed the registered copyrights of RBW's CRISP and DIMPLE designs.
- B. BOHA's conduct in all the above aspects was willful.
- C. To the maximum extent allowed, BOHA must account for and pay all profits derived by BOHA as a result of the acts of BOHA complained of herein, and/or all damages RBW has

suffered or sustained as a result of the acts of BOHA complained of herein, including enhanced, punitive and/or trebled amounts, as authorized or mandated by statute.

D. If RBW so alternatively elects before final judgment is rendered, then to the maximum extent allowed, BOHA must pay statutory damages for copyright infringement up to \$30,000 per copy.

E. BOHA must pay RBW's costs and reasonable attorneys' fees, as well as any pre-judgment and post-judgment interest on all amounts of any judgment, to the maximum extent authorized or mandated by statute.

F. Any other and further relief be ordered as this Court deems just and equitable.

DEMAND FOR JURY TRIAL

RBW hereby demands a jury trial on all issues triable of right by jury.

ASHBY & GEDDES

/s/ Andrew C. Mayo

Andrew C. Mayo (#5207)
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, Delaware 19899
(302) 654-1888
amayo@ashbygeddes.com

Attorneys for Plaintiff

Of Counsel:

Perry J. Saidman
SAIDMAN DESIGNLAW GROUP, LLC
6116 Executive Blvd., Suite 350
North Bethesda, MD 20852
(301) 585-8601

Dated: October 31, 2023